



James B. Wright
Senior Attorney

March 21, 1997

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Carolina Telephone
Centel-North Carolina
Centel-Virginia
United Telephone-Southeast

EXECUTIVE SECRETARY

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

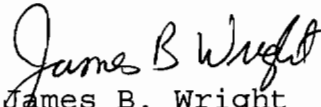
RE: Docket No. 96-01423

Dear Mr. Waddell:

Enclosed for filing in the above case are the original and four copies of United Telephone-Southeast, Inc.'s Objection to the Consumer Advocate's Motion for Extension of Time or Continuance.

A copy is being furnished to counsel of record.

Very truly yours,


James B. Wright

Enclosures

CC: Steve Parrott
Counsel of Record (with enclosure)
Bob Wallace (with enclosure)

#10122

CERTIFICATE OF SERVICE
(UTSE Annual Price Cap Adjustment)

The undersigned hereby certifies that United Telephone-Southeast, Inc.'s Objection to Motion for Extension has been served upon the following counsel of record in Docket No. 96-01423 this 21st day of March, 1997, by FAX, by air express, by hand delivery or by placing a copy of the same in the United States Mail postage prepaid and addressed as follows:

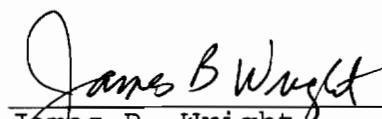
H. Edward Phillips
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460 James Robertson Parkway
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L. Vincent Williams
Office of the Attorney General
Consumer Advocate Division
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FAX 615-741-8724

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of Tennessee, L.L.C.
Suite 500, 1400 16th Street, N.W.
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FAX 615-214-7406

Val Sanford
230 Fourth Avenue, North, 3rd Floor
P. O. Box 198888
Nashville, TN 37219-8888
FAX 615-256-6339



James B. Wright

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE: UNITED TELEPHONE-SOUTHEAST, INC. TARIFF NO. 96-201
TO REFLECT ANNUAL PRICE CAP ADJUSTMENT

DOCKET NO. 96-01423

UNITED TELEPHONE-SOUTHEAST, INC. OBJECTION TO CONSUMER
ADVOCATE'S MOTION FOR EXTENSION OR CONTINUANCE


United Telephone-Southeast, Inc., objects to the Motion for Extension of Time or Continuance ("Motion") filed by the Consumer Advocate ("CA") today for the following reasons. During the March 11, 1997 hearing in this matter, the Directors, after discussion with the parties, established a noon, March 21, 1997 date for filing briefs (See March 11 Hearing Transcript, pages 279 and 280, attached hereto as Exhibit A). United complied with that direction and as previously authorized by the Authority, filed its post hearing brief with the Authority by facsimile at 11:36 a.m. central time (12:36 eastern) as evidenced by Exhibit B hereto. At no time prior to noon on March 21, 1997 was United asked to consent to any extension. United's consent was never sought and in fact it was not contacted or notified of the CA's intentions until well into the afternoon (3:00 p.m. central time) after United's Brief had already been filed. Thus the CA's "expectation" that no parties substantive or procedural rights will be prejudiced is incorrect. Consistent with prior practice, a simple phone call during any of the preceding 10

days to ask for a delay would have been appropriate. United has consented to requests for extensions of time when TIMELY made. A motion for continuance that is filed after the established filing time is inappropriate, unfair, procedurally suspect and should be denied.

United notes that the CA indicates as grounds for the delay that he has not had the opportunity to review the legislative tapes. This appears to be inconsistent with the statements Mr. Williams made at the hearing. For example, in response to Director Malone's question whether anyone had reviewed the legislative history, Mr. Williams replied: "I have reviewed the Legislative history, and no Legislative history said that Directory Assistance should be charged separately from basic service." (Hearing Transcript, pages 232 and 233, attached as Exhibit C). In the CA's Motion, he now alleges that "some of the legislative tapes...appear relevant to the questions presented in this case." On the surface these comments appear to be in conflict and should not be a basis to sustain the motion.

For the foregoing reasons, United asks that the Motion be denied.

Respectfully Submitted,
UNITED TELEPHONE-SOUTHEAST, INC.


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#10166

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2 problem.

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22 CHAIRMAN GREER: We're not in a
23 huge rush, I'm just trying to pick a date. What's
24 that Friday?

25 MR. HICKS: The 21st.

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2 12 noon on the 21st. That suits me. If any party
3 does want an expedited transcript, you need to take
4 that up with the court reporter, and she will quote
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6 If there is no another business,
7 this meeting is adjourned.

8 (Hearing adjourned at 5:21 p.m.)
9

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11 THIS WAS ALL THAT WAS INTRODUCED
12 DURING THE HEARING OF THIS MATTER ON THE 11TH DAY OF
13 MARCH, 1997.

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*** TX REPORT ***

Brief

TRANSMISSION OK

TX/RX NO	2079	
CONNECTION TEL		816157415015
CONNECTION ID		
ST. TIME	03/21 12:36	
USAGE T	13'57	
PGS.	22	
RESULT	OK	

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OFFICIAL FILE

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PLEASE

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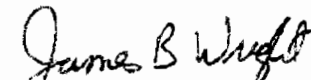
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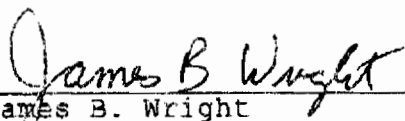
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03/21/97 FRI 18:10 FAX 919 554 7913

SMAT LEGAL/SEC

008

03/21/97 FRI 12:50 FAX 919 6 7913

SMAT LEGAL/SEC

Exhibit B

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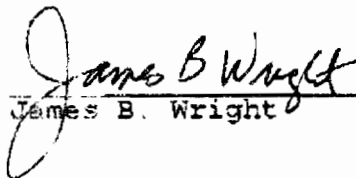
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Exhibit A, Page 1 of 2

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Exhibi. ., Page 2 of 2

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WAKE FOREST, NORTH CAROLINA 27587-5900
LEGAL DEPARTMENT

DATE: March 21, 1997

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	Ed Phillips	615-741-2336
	Vince Williams	615-741-8724
	Richard Tettelbaum	202-483-9277
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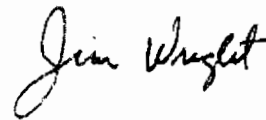
FROM: JIM WRIGHT
PHONE: 919-554-7587
FAX: 919-554-7913
OPERATOR: Mavis House
OPERATOR NO. 919-554-7608

Number of pages including this page: 10

COMMENTS: Docket 96-01423.

United's Objection to Consumer Advocate's Motion for Extension is attached. The appropriate number of paper copies will follow.

Mr. Waddell, please file this copy in the above Docket. Thank you.



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